

## Message Text

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ACTION IO-13

INFO OCT-01 EA-07 NEA-10 ISO-00 L-03 H-02 CIAE-00 COME-00

EB-07 INR-07 LAB-04 NSAE-00 SIL-01 DHA-02 AID-05 SP-02

PA-01 PRS-01 USIA-06 AF-08 ARA-06 EUR-12 CPR-01 /099 W

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FM USMISSION USUN NY

TO SECSTATE WASHDC PRIORITY 9341

INFO AMEMBASSY MANILA

AMEMBASSY NEW DELHI

USMISSION GENEVA

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E.O. 11652: N/A

TAGS: UN, PDIP

SUBJECT: SUMMONSES SERVED ON UN STAFF MEMBERS ON "SLAVERY"  
CHARGES

REF: USUN 2044 & USUN 2967

1. U.S. DISTRICT COURT SUMMONSES HAVE BEEN SERVED ON DEPUTY UNDP ADMINISTRATOR T.G. PATEL (INDIA) AND REUBEN MENDEZ, UNDP GENERAL AREA OFFICER (PHILIPPINES), AND ALL OTHER MEMBERS OF THEIR CLASS, SEEKING RECOVERY OF DAMAGES IN AMOUNT OF \$51,175,000.00 FOR ALLEGED INJURIES OCCASIONED IN CONNECTION WITH DEPRIVATION OF RIGHTS UNDER 13TH AMENDMENT OF CONSTITUTION OF DOMESTIC SERVANTS. PERLITA DIZE WINTHAL AND NATIVIDAD DIZA AND ALL OTHERS SIMILARLY SITUATED.

2. AS A DIRECT RESULT OF SUMMONSES, UNDP ADMINISTRATOR BRADFORD MORSE HAS WRITTEN GOVERNOR SCRANTON CONCERNING COMPLAINT AGAINST UNDP STAFF MEMBERS. IN HIS LETTER, MORSE EXPRESSES CONCERN OVER POSSIBLE EFFECT OF SUCH A CLASS ACTION ON OTHER INTERNATIONAL AGENCIES ASIDE FROM UNDP, AND EXPRESSES FEELING THAT THERE COULD BE REPERCUSSIONS FOR INTERNATIONAL  
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COMMUNITY AND ITS RELATIONSHIP TO HOST COUNTRY.

3. AFTER RECEIVING MORSE LETTER, MEETING WAS ARRANGED BETWEEN UNDP LEGAL ADVISER AND MEMBER OF USUN. AT MEETING, COPY OF SUMMONS ISSUED BY US DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK, WAS HANDED TO USUN OFFICER TOGETHER WITH SET OF NEWS CLIPPINGS FROM US AND PHILIPPINES. AT MEETING UNDP LEGAL ADVISER EXPRESSED HOPE THAT CASE COULD BE QUASHED.

4. A SUBSEQUENT CONVERSATION WAS HELD WITH BLAINE SLOAN, DIRECTOR UN GENERAL LEGAL DIVISION. HE STATED CASE IN GENERAL AND QUESTION OF DIPLOMATIC IMMUNITY WAS UNDER SERIOUS CONSIDERATION BY UN LEGAL OFFICE, BUT THAT NO DECISION HAD YET BEEN REACHED.

5. WE ESTIMATE THERE ARE AT LEAST 2,500 DOMESTICS EMPLOYED BY MEMBERS OF MISSIONS AND UN SECRETARIAT. THEIR GENERAL CONDITIONS OF EMPLOYMENT ARE OF GREAT CONCERN TO US. REUBEN MENDEZ HAS INFORMED US HE WAS PAYING HIS HOUSEKEEPER \$100.00 PER MONTH SALARY PLUS ROOM AND BOARD WHICH HE SAYS WAS WAGE SUGGESTED BY UN VISA COMMITTEE. SALARIES PAID TO MANY HOUSEKEEPERS IN UN COMMUNITY ARE SIMILAR AND SOME ARE EVEN LOWER. SUCH SALARIES ARE EXTREMELY LOW FOR NEW YORK CITY. THIS LEADS MANY HOUSEKEEPERS TO SEEK EMPLOYMENT IN AMERICAN HOUSEHOLDS AND HAS ALSO LED TO PRESENT COURT ACTION. WE BELIEVE THAT REGARDLESS OF WHAT IS DECIDED IN THIS CASE, A THOROUGH REVIEW IN CONSULTATION WITH UN AUTHORITIES OF CONDITIONS RELATING TO ISSUANCE OF G-5 VISAS IS NECESSARY. OF PARTICULAR RELEVANCE IS QUESTION OF WHETHER SOME MINIMUM WAGE AND ASSURANCE OF PROPER WORKING CONDITIONS, SHOULD BE PRE-REQUISITE IN EACH CASE BEFORE VISA IS GRANTED. (DEPT. MAY WISH CONSIDER ALSO COMPARABLE PROBLEMS RE A-3 VISAS.)

6. WE HAVE FORWARDED COPY OF SUMMONS AND COPY MORSE LETTER TO LOUIS R. HAGE, IO-UNP. DEPARTMENT'S VIEWS ON LEGAL ISSUES INVOLVED AS RESULT OF SUMMONSES ISSUED AS WELL AS DEPARTMENT'S FEELINGS ON GENERAL PROBLEM AS OUTLINED IN PARA 5 ARE REQUESTED.

SCRANTON

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
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**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 22 SEP 1976  
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**Disposition Approved on Date:**  
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**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
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**TAGS:** PDIP, UN, UNDP, (PATEL, T G), (MENDEZ, REUBEN)  
**To:** STATE  
**Type:** TE  
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